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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/306,038	05/06/1999	CLARENCE C. RUDD	RCA88959	2948

7590 09/14/2004  
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PRINCETON, NJ 085435312

EXAMINER
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TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
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2643

27

DATE MAILED: 09/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/306,038

**Applicant(s)**

RUDD ET AL.

**Examiner**

Quoc D Tran

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 4/26/2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see paper #26, filed 4/26/2004, with respect to the rejection(s) of claim(s) 11, 14, 15 and 18 under Coviello in view of Heep et al have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Bergen et al (5,046,086).

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 11, 14, 15 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coviello et al (4,631,367) in view of Bergen et al (5,046,086) and further in view of Heep et al (4,996,709).

Consider claims 11 and 15, Coviello et al teach a multi-line KSU-less telephone system having a plurality of telephone for providing paging feature (see abstract) comprising a first telephone initiate a voice message to the plurality of telephones in response to user request; and telephones receive and play the voice message from the first telephone automatically regardless of receiving user action and wherein after playing said voice message, one telephone answering the first telephone initiates two way conversation with a user of the first telephone (col. 5 line 46 – col. 6 line 44).

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Coviello et al teach where the first telephone pages all of the telephones of the plurality of telephones. Coviello et al do not suggest where a first telephone of a plurality of telephones for selecting a group of telephones from the plurality of telephones for paging of the group. However, Bergen et al suggested such features (see col. 1 lines 45-55; col. 2 lines 48-58).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to take the KSU selectable group paging feature of Bergen et al and implement into the KSU-less paging feature of Coviello et al in order to lower the cost of having to maintaining a KSU but able to maintain the same features of the KSU.

Coviello et al suggested of using multiplexing technique. Coviello et al did not clearly suggest a half-duplex channel for used in the communications. However, Heep et al teach an intercom system having a speaker portion where communication can be established in half-duplex or full-duplex mode (col. 1 lines 53-55).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Heep et al into view Coviello and Bergen et al in order to provide different modes of communications.

Consider claims 14 and 18, Coviello et al teach the system wherein the two-way communication is initiated by being in an off-hook mode (col. 5 lines 59-67; col. 6 lines 36-39).

4. Claims 12 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coviello et al (4,631,367) in view of Bergen et al (5,046,086) and Heep et al (4,996,709) and further in view of Core (6,636,595).

Consider claims 12 and 16, Coviello et al did not suggest teach the system wherein at least one of the group telephones comprising a display for providing an identification number of

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the first telephone. However, Core suggested such (abstract). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Core into view of Coviello, Bergen and Heep et al in order to provide information to the called party thereby enable the called party to decide whether to accept the call or not.

5. Claims 13 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coviello et al (4,631,367) in view of Bergen et al (5,046,086) and Heep et al (4,996,709) and further in view of Kruger et al (5,768,344).

Consider claims 13 and 17, Coviello et al did not suggest wherein the voice message is automatically terminated at a predetermined period. However, Kruger et al suggested a telephone device for receiving calls wherein the telephone includes a watchdog timer for terminating the line after a predetermined period of time (col. 2 lines 50-55). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Kruger et al into view of Coviello, Bergen and Heep et al order to end the communications session.

### *Conclusion*

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231  
Facsimile responses should be faxed to:  
**(703) 872-9306**  
Hand-delivered responses should be brought to:  
Crystal Park II, 2121 Crystal Drive

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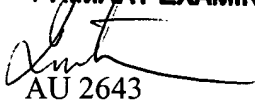
Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.

**QUOCTRAN**  
**PRIMARY EXAMINER**



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September 9, 2004